

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler  
:  
v. : Crim. No. 07-631 (SRC)  
:  
WALEAK CHANDLER, :  
a/k/a Reckless, and : ORDER  
STANLEY Foote, :  
a/k/a "Murder" :

This matter having come before the Court at the request of the United States of America (Christopher J. Christie, United States Attorney for the District of New Jersey, by Michael H. Robertson and Melissa L. Jampol, Assistant United States Attorneys appearing) in the presence of defendant WALEAK CHANDLER, a/k/a "Reckless" (by John D. Caruso, Esq.) and defendant STANLEY FOOTE, a/k/a "Murder" (by Timothy M. Donohue, Esq.), for an order authorizing the United States to take the deposition of civilian witness, Joan Harvey, for use at trial pursuant to Fed. R. Crim. P. 15; and the Court having considered the submission of the United States; and having considered the submissions of defense counsel; and oral argument having been heard; and for good and sufficient cause shown,


IT IS THE FINDING OF THIS COURT that a deposition of Joan Harvey is warranted pursuant to Fed. R. Crim. P. 15 for the following reasons:

- I. Joan Harvey has been diagnosed with Stage IIIA breast cancer and has undergone a radical mastectomy. Ms. Harvey receives bi-weekly chemotherapy which will be followed by radiation treatment. Accordingly, exceptional and extraordinary circumstances exist justifying the preservation of the witness' testimony and doing so would be in the interests of justice;
- II. Joan Harvey's testimony is material to the government's case against defendants; and
- III. The taking of a deposition pursuant to Fed. R. Crim. P. 15 would not cause injustice to defendants.

WHEREFORE, on this 1<sup>st</sup> day of October, 2008,

IT IS ORDERED that pursuant to Fed. R. Crim. P. 15, the United States is authorized to take the deposition of civilian witness, Joan Harvey, for use at trial at a date and time to be determined by the parties;

IT IS FURTHER ORDERED that the United States is to provide all Brady material and Jencks material as well as all other material that is relevant to the credibility of the witness prior to the taking of the deposition.

  
HONORABLE STANLEY R. CHESLER  
United States District Judge